

GIS REGISTRY INFORMATION

SITE NAME:

Indianhead Oil Co - IC Express

BRRTS #:

03-03-000875

FID # (if appropriate):

COMMERCE # (if appropriate):

54829-9203-37

CLOSURE DATE:

12/6/04

STREET ADDRESS:

1637 Superior Ave (USH 63)

CITY:

Cumberland

SOURCE PROPERTY GPS COORDINATES (meters in WTM91 projection):

X= 362215

Y= 565025

CONTAMINATED MEDIA:

Groundwater

☐

Soil

☐

Both

☒

OFF-SOURCE GW CONTAMINATION >ES:

☒ Yes

☐ No

IF YES, STREET ADDRESS 1:

1655 Superior St.

GPS COORDINATES (meters in WTM91 projection):

X= 362251

Y= 565044

OFF-SOURCE SOIL CONTAMINATION >Generic or Site-Specific RCL (SSRCL):

☒ Yes

☐ No

IF YES, STREET ADDRESS 1:

1655 Superior St.

GPS COORDINATES (meters in WTM91 projection):

X=

Y=

CONTAMINATION IN RIGHT OF WAY:

☒ Yes

☐ No

DOCUMENTS NEEDED:

Closure Letter, and any conditional closure letter issued

Copy of most recent deed, including legal description, for all affected properties

Certified survey map or relevant portion of the recorded plat map (if referenced in the legal description) for all affected properties
County Parcel ID number, if used for county, for all affected properties (See list)

Location Map which outlines all properties within contaminated site boundaries on USGS topographic map or plat map in sufficient detail to permit the parcels to be located easily (8.5x14" if paper copy). If groundwater standards are exceeded, the map must also include the location of all municipal and potable wells within 1200' of the site.

Detailed Site Map(s) for all affected properties, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells. (8.5x14", if paper copy) This map shall also show the location of all contaminated public streets, highway and railroad rights-of-way in relation to the source property and in relation to the boundaries of groundwater contamination exceeding ch. NR 140 ESs and soil contamination exceeding ch. NR 720 generic or SSRCLs.

Tables of Latest Groundwater Analytical Results (no shading or cross-hatching)

Tables of Latest Soil Analytical Results (no shading or cross-hatching)

Isoconcentration map(s), if required for site investigation (SI) (8.5x14" if paper copy). The isoconcentration map should have flow direction and extent of groundwater contamination defined. If not available, include the latest extent of contaminant plume map.

GW: Table of water level elevations, with sampling dates, and free product noted if present

GW: Latest groundwater flow direction/monitoring well location map (should be 2 maps if maximum variation in flow direction is greater than 20 degrees)

SOIL: Latest horizontal extent of contamination exceeding generic or SSRCLs, with one contour

Geologic cross-sections, if required for SI. (8.5x14" if paper copy)

RP certified statement that legal descriptions are complete and accurate

Copies of off-source notification letters (if applicable)

Letter informing ROW owner of residual contamination (if applicable)(public, highway or railroad ROW)

Copy of (soil or land use) deed restriction(s) or deed notice if any required as a condition of closure

WDNR Site Name: Indianhead Oil Co., Cumberland IC Express
WDNR BRRTS # 03-03-000875

SITE: Former IC Express

Address: 1637 Superior Street, Cumberland, WI

Parcel identification number: 212-8002-50-000

Geographic coordinates: 362215, 565025 (meters in WTM 83/91)

Deed: Volume 1010, Page 725, Barron County

ADJOINING PROPERTY with Groundwater Contamination, Dairy Queen

Address: 1655 Superior Street, Cumberland, WI

Parcel identification number: 212-1332-03-000

Geographic coordinates: 362251, 565044 (meters in WTM 83/91)

Deed: Volume 599, Page 75, Barron County



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziński, Regional Director

Northern Region Headquarters
107 Sutliff Ave.
Rhineland, Wisconsin 54501-3349
Telephone 715-365-8900
FAX 715-365-8932
TTY Access via relay - 711

December 6, 2004

Indianhead Oil Company
Attn: Mr. Tom Clements
1865 21st Ave
Rice Lake, WI 54868

SUBJECT: Final Case Closure By Closure Committee
Indianhead Oil Co – Cumberland IC Express, 1637 Superior ST (USH 63)
Cumberland, WI
WDNR BRRTS #: 03-03-000875
PECFA # 54829-9203-37

Dear Mr. Clements:

On July 1, 2004, your site as described above was reviewed for closure by the Northern Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On July 6, 2004, you were notified that the Closure Committee had granted conditional closure to this case.

On December 6, 2004, the Department received correspondence indicating that you have complied with the conditions of closure, specifically, final documents needed for the GIS Registry. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time.

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>. If your property is listed on the GIS Registry due to groundwater contamination exceeding ch. NR 140 standards at the time of closure, and you intend to construct or reconstruct a well, you will need Department approval. Department approval is required before construction or reconstruction of a well on a property listed on the GIS Registry, in accordance with s. NR 812.09(4)(w). To obtain approval, Form 3300-254 needs to be completed and submitted to the DNR Drinking and Groundwater program's regional water supply specialist. This form can be obtained on-line at the web address listed above.

If there is equipment purchased with PECFA funds remaining at the site, contact the Commerce PECFA Program to determine the method for salvaging the equipment.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 715-365-8990.

Sincerely,
NORTHERN REGION

A handwritten signature in cursive script that reads "Janet Kazda".

Janet Kazda
Remediation & Redevelopment Program

cc: File

Ryan Yarrington
Cedar Corporation
604 Wilson Ave
Menomonie, WI 54751



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary
John Gozdziński, Regional Director

Northern Region Headquarters
107 Sutliff Ave.
Rhinelander, Wisconsin 54501-3349
Telephone 715-365-8900
FAX 715-365-8932
TTY Access via relay - 711

July 6, 2004

Indianhead Oil Company
Attn: Mr. Tom Clements
1865 21st Ave
Rice Lake, WI 54868

Subject: Conditional Case Closure
Indianhead Oil Co – Cumberland IC Express, 1637 Superior St, (USH 63)
Cumberland, WI
WDNR BRRTS # 03-03-000875
PECFA #54829-9203-37

Dear Mr. Clements:

On July 1, 2004, your request for closure of the case described above was reviewed by the Northern Region Closure Committee. The Closure Committee reviews environmental remediation cases for compliance with state rules and statutes to maintain consistency in the closure of these cases. After careful review of the closure request, the Closure Committee has determined that the gasoline contamination on the site appears to have been investigated and remediated to the extent practicable under site conditions. Your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code and will be closed if the following conditions are satisfied:

1. The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to me on Form 3300-5B found at www.dnr.state.wi.us/org/water/dgw/gw/ or provided by the Department of Natural Resources.
2. To close this site, the Department requires that a deed restriction be signed and recorded to address the issue of the remaining soil contamination associated with the site. The purpose of the restriction is to a) maintain a surface barrier over the remaining soil contamination to prevent it from impacting human health and the environment, and b) require that the owner of the property investigate the degree and extent of residual contamination that is currently inaccessible, if structural impediments (the currently existing tanks) on the property are removed.

You will need to submit a draft deed restriction to me before the document is signed and recorded. You may find a model deed restriction enclosed for your use or visit our web site at www.dnr.state.wi.us/org/rr. To assist us in our review of the deed restriction, you should submit a copy of the property deed to me along with the draft document. After the Department of Natural Resources has reviewed the draft document for completeness, you should sign it if you own the property, or have the appropriate property owner sign it, and have it recorded by the Barron County Register of Deeds. Then you must submit a copy of the recorded document, with the recording information stamped on it, to me. Please be aware that if a deed restriction is

recorded for the wrong property because of an inaccurate legal description that you have provided, you will be responsible for recording corrected documents at the Register of Deeds Office to correct the problem.

3. The GIS Registry package was deficient in the following manner:

- The WTM coordinates, Parcel Identification Numbers, and addresses for all contaminated properties must be presented in the following manner: A one-page presentation in table format that indicates the addresses of the source and off-source properties, their Parcel Identification Numbers, their WTM coordinates, and the Volume and Page number of each associated deed.
- A Detailed Site Map must be submitted. This site map should show the streets and cross-streets, nearby buildings, utility lines, potable wells, water bodies in the area, and any other landmarks that are appropriate. It is intended to be a "neighborhood" map, and it should not include any technical details related to the contamination or the remediation, such as monitoring wells.
- The RP-certified statement must be rewritten. It refers to former railroad property that was deeded to Indianhead Oil. However, the GIS Registry must relate to all the properties that have been contaminated, including the off-site properties.
- The Cap Maintenance Plan should be signed by officials of the Indianhead Oil Company.

If your consultant is having trouble understanding the requirements of the GIS Registry, please ask him to call me at 715-365-8990.

When the above conditions have been satisfied, please submit a letter to let me know that applicable conditions have been met, and your case will be closed. Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit <http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm>.

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.

Please be aware that the case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at 715-365-8990.

Sincerely,
NORTHERN REGION



Janet Kazda
Remediation and Redevelopment Program

c: File

Troy Gawronski
Cedar Corporation
604 Wilson Ave
Menomonie, WI 54751

Document No.

I. C. Express, Inc., a Wisconsin corporation conveys and warrants to Michels and Jerlow Investments, LLP, a Wisconsin Limited Liability Partnership the following described real estate in Barron County, State of Wisconsin:

That part of Lot 5, Block 1, of Mansfield and Lang's Addition to North Cumberland and of Government Lot 3 of Section 6, Township 35 North, Range 13 West (in the City of Cumberland) shown as "Cities Service Oil, Co.-132-59" on CSM 2-126 and more particularly described as:

Commencing at the northwest corner of said Lot 5; thence south, along the east right-of-way line of Second Street, 50 feet; thence east, parallel with the north line of said Lot 5, 70 feet to the point of beginning; thence continuing east, parallel with the north line of said Lot 5 and said line extended, 124 feet; thence N.41° 13'E. 17 feet; thence N.80° 59' E. 37.1 feet to the westerly right-of-way line of USH 63; thence S.41° 13' W., along said right-of-way line, 193.1 feet; thence N.24° 54.5'W. 40.6 feet to a line parallel with and 22 feet south of the extended south line of said Lot 5; thence west, along said extended south line, 26.6 feet; thence north, parallel with and 70 feet distant from the east line of said Second Street, 88 feet to the point of beginning.

The following parts of Government Lot 3 of Section 6, Township 35 North, Range 13 West (in the City of Cumberland) described as:

- a) Parcels B & C of CSM 2-126;
- b) That part lying within the parcel shown as "Karlen - 133-376" on CSM 2-126 and more particularly described as:

PIN: 212-8002-48-000 and
212-8002-50-000

Beginning at the southeast corner of said Deed

133-376, which point is the same as the southwest corner of Parcel C of CSM 2-126; thence north, along the east line of said Deeds 133-376, 30 feet; thence southwesterly to a point on the south line of said Deeds 133-376 which is 25 feet west of the southeast corner thereof; thence east along the south line of said Deeds 133-376, 25 feet to the point of beginning.

This is not homestead property.

Exceptions to Warranties: Zoning ordinances, building restrictions and easements of record.

Dated this 10th day of December, 2002.

I.C. EXPRESS, INC., a Wisconsin Corporation

By: Thomas H. Clements (SEAL) By: Christine L. Clements (SEAL)
* Thomas H. Clements, President * Christine L. Clements, Vice President

ACKNOWLEDGMENT

STATE OF WISCONSIN)
COUNTY OF BARRON) ss.

Personally came before me this 10th day of December, 2002 the above-named Thomas H. Clements, President and Christine L. Clements, Vice-President of the above-named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Vice-President of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said Corporation, by its authority.

Roger L. Rivard
Notary Public, Barron County, Wisconsin.
My Commission is Permanent.
(If not, state expiration date: 7/18/2004.)

THIS INSTRUMENT WAS DRAFTED BY:
COE, DALRYMPLE, COE & ZABEL, S.C.
24 West Marshall Street
P.O. Box 192
Rice Lake, WI 54868
Phone No.: (715) 234-9074
Fax No.: (715) 234-5988

*Names of persons signing in any capacity should be typed or printed below their signatures.

BARRON COUNTY, WI
REGISTER OF DEEDS
DONNA M. MILLER

666656
12-10-2002 2:55 PM

RECORDING FEE: 11.00
TRANSFER FEE: 600.00
FEE EXEMPT #:
PAGES:1

WARRANTY DEED

RECORDING AREA

RETURN TO

Coldwell Banker Brenizer Realtors
237 South Main Street
Rice Lake, WI 54868

140.F.1506

506889

vol 589 p 75

RECEIVED OF RECORD

10:00 A.M.
FEB 2 1989

Donna M. Miller
REGISTER OF DEEDS
BARRON COUNTY, WI

RETURN TO

Kenneth Jenkins and Sharon Jenkins, husband and wife,

conveys and warrants to David A. Wineinger and Laura L. Wineinger, husband and wife as survivorship marital property

the following described real estate in Barron County, State of Wisconsin:

Tax Parcel No:

That part of Lots 1 and 2, Block 1, of Mansfield and Lang's Addition to North Cumberland described and conveyed in that document recorded in Volume 496 in Records, page 252, in the Office of the Register of Deeds for Barron County, Wisconsin.

TRANSFER
\$ 390.00
FEE

The taxes for the year 1988, payable in 1989, shall be paid by Grantors.

This is not homestead property.
(is) (is not)

Exception to warranties: one certain mortgage to Cumberland Federal Savings and Loan Association, which Grantees have assumed and agreed to pay, and municipal and zoning ordinances.

Dated this 31st day of December, 1988

(SEAL)

Kenneth Jenkins

(SEAL)

* Kenneth Jenkins

(SEAL)

Sharon Jenkins

(SEAL)

* Sharon Jenkins

AUTHENTICATION

Signature(s)

authenticated this day of, 19

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Peter E. Van Sickle

Cumberland, Wisconsin 54829

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

BARRON

County.

ss.

Personally came before me this 31st day of December, 1988 the above named Kenneth Jenkins and Sharon Jenkins, husband and wife,

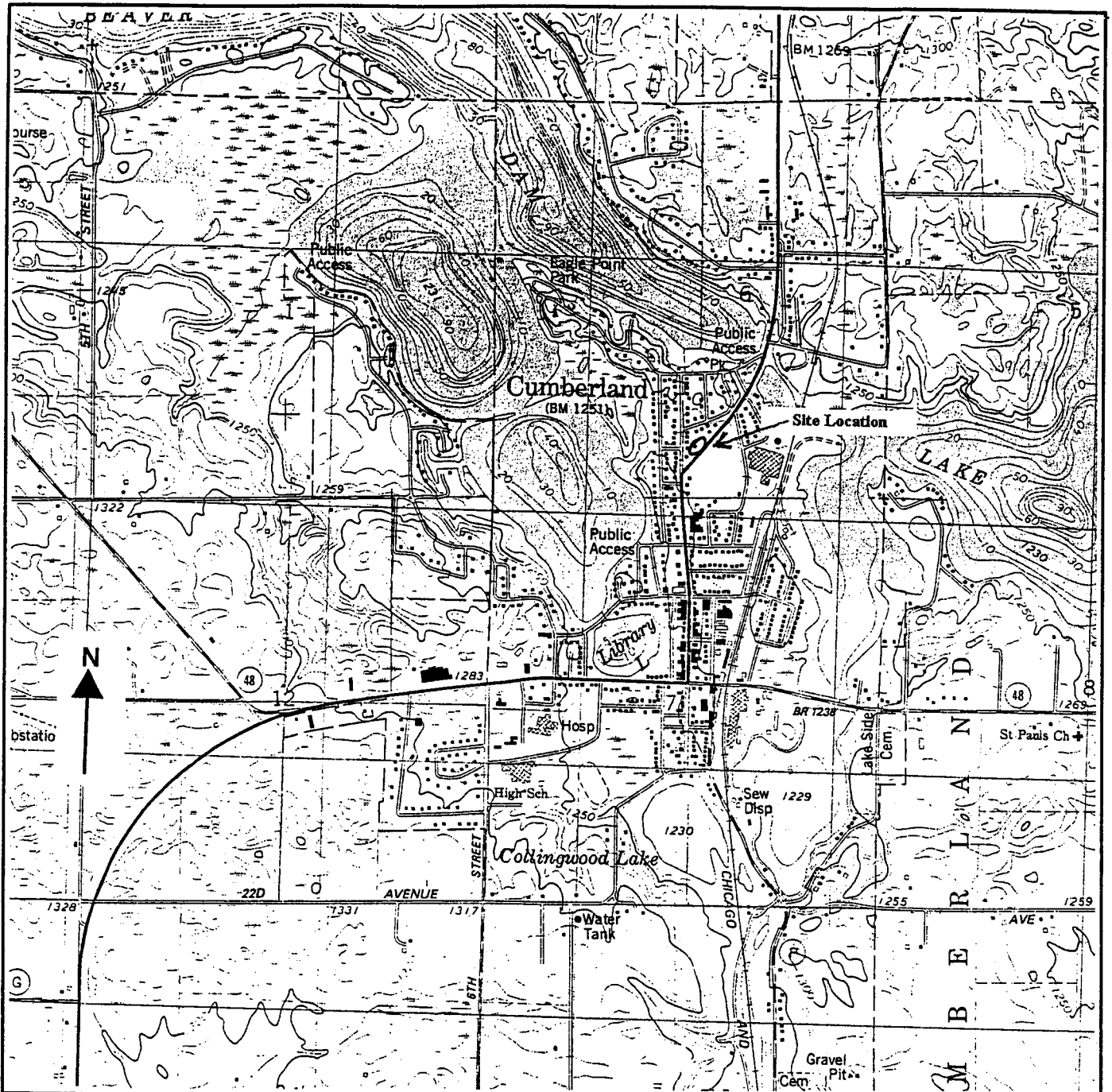
to me known to be the person who executed the foregoing instrument and acknowledge the same.

Peter E. Van Sickle

* Peter E. Van Sickle

Notary Public Barron County, Wis.
My Commission is permanent (if not, state expiration date: 19)

GL 3-22
212-8002-47-000



LEGEND

CUMBERLAND WIS USGS TOPOGRAPHIC
QUADRANGLES 7.5 MINUTE SERIES, 1982

CONTOUR INTERVAL = 10 FEET



engineers • architects • planners • environmental specialists
land surveyors • landscape architects • interior designers

604 Wilson Avenue
Menomonee, WI 54751

715-235-9081
800-472-7372
Fax • 715-235-2727
www.cedarcorp.com

DRAWN BY

TAG

DATE

6/00

REVISED BY

TAG

SCALE

1" = 2000'

SITE MAP

CUMBERLAND IC EXPRESS
1637 SUPERIOR STREET
CUMBERLAND, WI 54829

CHECKED BY

TAG

JOB NO.

2562-5

FIGURE

1

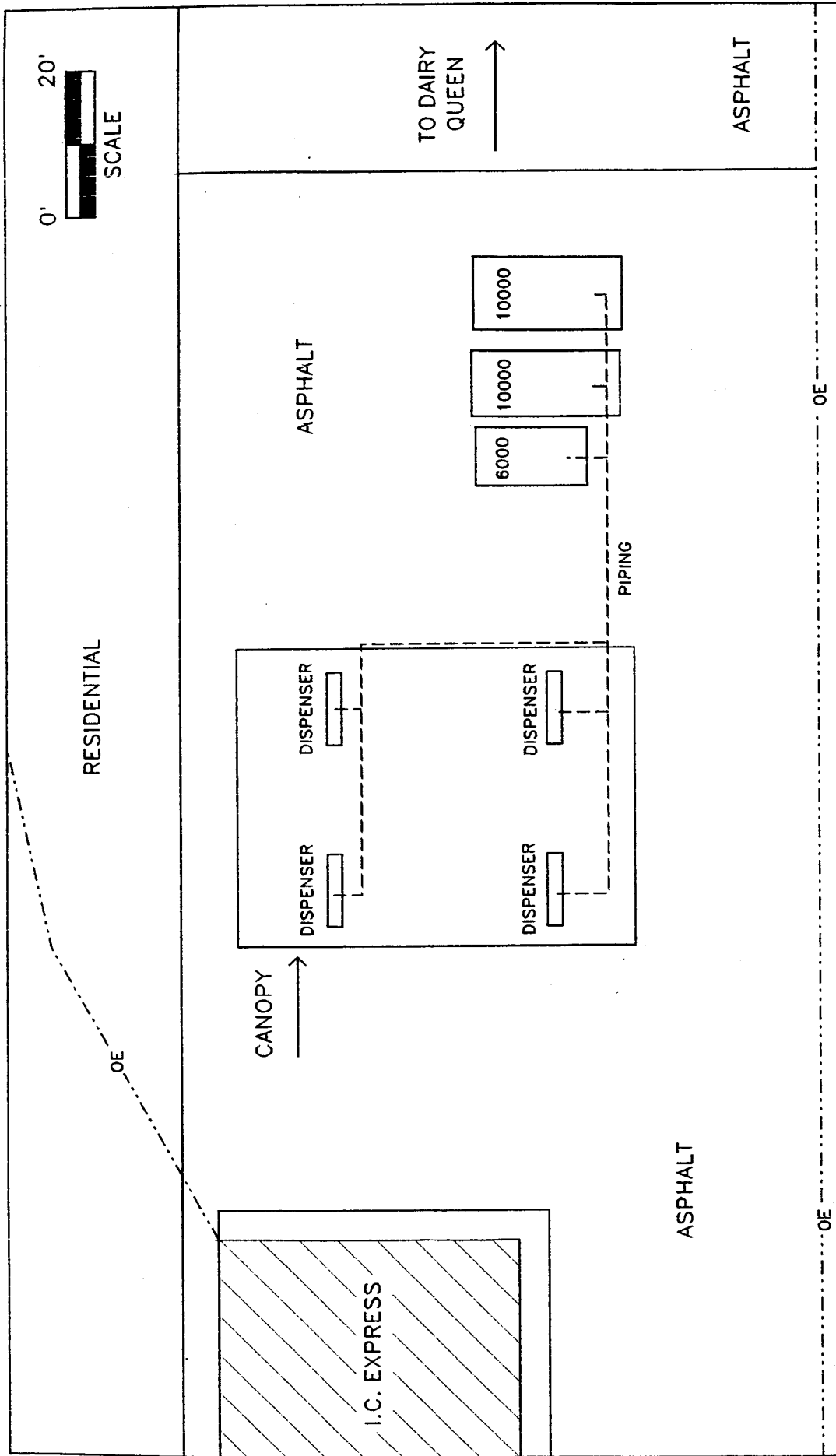


		FIGURE 2 SITE MAP I.C. EXPRESS CUMBERLAND, WISCONSIN	
		DRAWN BY: RJM DATE: 6/9/95 REVISED:	LEGEND: ---OE--- OVERHEAD ELECTRIC
RSI ENVIRONMENTAL CONSULTANTS		HIGHWAY 63	

TABLE 1
GRO, 1,2-DCA, EDB, NAPHTHALENE AND PVOC GROUND WATER ANALYSIS RESULTS
INDIANHEAD OIL COMPANY
CUMBERLAND IC EXPRESS

Date Sampled	GWE, ft	GRO mg/L	1,2-DCA ug/L PAL=0.5 ES=5.0	EDB ug/L PAL=0.005 ES=0.05	Naphthalene ug/L PAL=8 ES=40	Benzene ug/L PAL=0.5 ES=5	Ethylbenzene ug/L PAL=140 ES=700	MTBE ug/L PAL=12 ES=60	Toluene ug/L PAL=200 ES=1000	1,2,4-TMB ug/L PAL=96* ES=480*	1,3,5-TMB ug/L PAL=96* ES=480*	Xylenes ug/L PAL=1000 ES=10,000
Monitoring Well 1												
05/14/96		<50				<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0
11/14/96		<50				<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0
02/17/97		<50				<0.40	<0.20	<0.50	<0.30	<0.30	<0.30	<0.80
08/11/97		<0.4			0.8	<0.5	<0.4	<0.3	<0.4	1.0	<0.2	<0.8
03/30/98		<0.1				<0.5	<0.4	1.2	<0.4	<0.7	<0.2	<0.8
07/30/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5
12/11/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5
01/03/00	93.44	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
05/09/00	93.82	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
09/19/01	94.08	<50	NA	NA	NA	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
10/03/02	94.09	NA	NA	NA	<1.1	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
12/19/02	94.19				<0.46	<0.13	<0.22	<0.22	<0.20	<0.22	<0.29	<0.23
03/13/03	93.65		NA	NA	<0.50	<0.25	<0.22	<0.23	<0.11	<0.25	<0.19	<0.39
06/13/03	94.46	NA	NA	NA	<0.50	<0.25	<0.22	<0.23	<0.11	<0.25	<0.19	0.82
Monitoring Well 2												
05/14/96		71000			1100	2300	2900	<250	27000	950	<250	18700
11/14/96		62000			540	1700	2800	<250	25000	2300	610	17000
02/17/97		48000			300	1200	2300	<100	17000	2300	710	14300
08/11/97		32.4			515	828	1300	<10.0	5520	1500	473	6200
03/30/98		50.9				788	1690	<0.3	<0.4	1380	304	11270
07/30/98		10.9				164	502	8.6	2200	671	548	2490
12/11/98		1770				754	1930	94.4	12400	69.8	2060	13500
01/03/00	93.37	26000				310	750	<1.6	6300	990	230	7900
05/09/00	93.80	43000				1100	1800	<8.0	9400	2100	420	14000
09/19/01	94.13	6200	NA	NA	NA	230	420	<1.6	390	440	92	1200
10/03/02	94.14	NA	NA	NA	410	380	1200	<16	4600	1100	260	7000
12/19/02	94.23				370	320	610	<6.4	4900	960	180	6500
03/13/03	93.72		NA	NA	540	860	1800	<14	9300	1900	440	12000
06/13/03	94.59	NA	NA	NA	260	270	650	<23	3500	690	170	4600

Date Sampled	GWE, ft	GRO mg/L	1,2-DCA ug/L PAL=0.5 ES=5.0	EDB ug/L PAL=0.005 ES=0.05	Naphthalene ug/L PAL=8 ES=40	Benzene ug/L PAL=0.5 ES=5	Ethylbenzene ug/L PAL=140 ES=700	MTBE ug/L PAL=12 ES=60	Toluene ug/L PAL=200 ES=1000	1,2,4-TMB ug/L PAL=96* ES=480*	1,3,5-TMB ug/L PAL=96* ES=480*	Xylenes ug/L PAL=1000 ES=10,000
--------------	---------	----------	-----------------------------------	----------------------------------	------------------------------------	---------------------------------	--	------------------------------	------------------------------------	--------------------------------------	--------------------------------------	---------------------------------------

Monitoring Well 3

05/14/96		660				400	<5.0	<5.0	7.5	<5.0	<5.0	113
11/14/96		3600			31	1700	51	26	25	170	47	1130
02/17/97		2700			25	880	13	22	9.3	140	35	940
08/11/97		6.06			82.5	2000	202	32.1	176	299	69	2052
03/30/98		5.56				1800	126	<0.3	<0.4	291	64.8	2024
07/30/98		3.06				1080	16.4	18.0	26.8	123	93.7	655
12/11/98		10.9				545	5.10	24.1	7.04	175	56.5	246
01/03/00	93.24	330				180	<0.22	<0.16	0.49	5.9	<0.29	19
05/09/00	93.87	2600	NA	NA	NA	1000	7.3	<3.2	22	150	34	920
09/19/01	93.84	2600	NA	NA	3.4	740	2.5	<0.32	9.4	120	27	810
10/03/02	94.19	NA	NA	NA	6.8	160	0.44	<0.16	2.1	16	3.3	160
12/19/02	94.16		NA	NA	11	340	<2.2	<1.6	2.7	28	4.8	160
03/13/03	93.59		NA	NA	1.8	250	<1.1	23	5.0	45	9.0	310
06/13/03	94.59	NA	NA	NA		140	1.8	2.4	8.7	7.0	0.58	54

Monitoring Well 4

11/14/96		<50				1.1	<1.0	<1.0	<1.0	3.3	1.1	7.1
02/17/97		<50			1.2	1.7	<0.20	<0.50	<0.30	3.2	0.6	1.3
08/11/97		<0.1				<0.5	<0.4	1.4	<0.4	1.1	<0.2	<0.8
03/30/98		<0.1				<0.5	<0.4	<0.3	<0.4	<0.7	<0.2	<0.8
07/30/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5
12/11/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5
01/03/00	93.37	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	0.31
05/09/00	94.27	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
09/19/01	94.38	<50	NA	NA	NA	<0.13	<0.22	<0.36	<0.20	<0.22	<0.29	<0.23
10/03/02	94.24	NA		NA	<1.1	2.1	<0.22	<0.16	<0.20	<0.22	<0.29	0.69
12/19/02	94.20		NA	NA	0.79	35	<0.22	<0.36	0.65	2.6	0.34	25
03/13/03	93.45		NA	NA	<0.50	22	<0.22	<0.23	0.32	2.1	0.23	13
06/13/03	94.49	NA	NA	NA	<0.50	6.3	<0.22	0.65	0.29	1.0	<0.19	4.4

Monitoring Well 5

11/14/96		<50				<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0
02/17/97		<50			1.5	<0.40	<0.20	<0.50	<0.30	<0.30	<0.30	<0.80
08/11/97		<0.1				<0.5	<0.4	<0.3	<0.4	1.0	<0.2	<0.8
03/30/98		<0.1				<0.5	<0.4	<0.3	<0.4	<0.7	<0.2	<0.8
07/30/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5

Date Sampled	GWE, ft	GRO mg/L	1,2-DCA ug/L PAL=0.5 ES=5.0	EDB ug/L PAL=0.005 ES=0.05	Naphthalene ug/L PAL=8 ES=40	Benzene ug/L PAL=0.5 ES=5	Ethylbenzene ug/L PAL=140 ES=700	MTBE ug/L PAL=12 ES=60	Toluene ug/L PAL=200 ES=1000	1,2,4-TMB ug/L PAL=96* ES=480*	1,3,5-TMB ug/L PAL=96* ES=480*	Xylenes ug/L PAL=1000 ES=10,000
--------------	---------	----------	-----------------------------------	----------------------------------	------------------------------------	---------------------------------	--	------------------------------	------------------------------------	--------------------------------------	--------------------------------------	---------------------------------------

Monitoring Well 5

12/11/98		<0.1				<0.5	<0.4	<0.8	<0.4	<0.7	<0.2	<1.5
01/03/00	93.47	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
05/09/00	93.92	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
09/19/01	94.21	<50	NA	NA	NA	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
10/03/02	94.24	NA	NA	NA	<1.1	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
12/19/02	94.32				<0.46	<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
03/13/03	93.81		NA	NA	<0.50	<0.25	<0.22	<0.23	<0.11	<0.25	<0.19	<0.39
06/13/03	94.68	NA	NA	NA	<0.50	<0.25	<0.22	0.24	<0.11	<0.25	<0.19	<0.39

Monitoring Well 6

11/14/96		<50				<0.6	<1.0	<1.0	<1.0	<1.0	<1.0	<2.0
02/17/97		<50				<0.40	<0.20	1.7	1.2	<0.30	<0.30	<0.80
08/11/97		<0.1			0.7	<0.5	<0.4	2.7	<0.4	0.8	<0.2	<0.8
03/30/98		<0.1				<0.5	<0.4	<0.3	<0.4	<0.7	<0.2	<0.8
07/30/98		<0.1				<0.5	<0.4	<0.8	14.2	<0.7	<0.2	<1.5
12/11/98		<0.1				<0.5	<0.4	1.51	<0.4	<0.7	<0.2	<1.5
01/03/00	92.07	<50				<0.13	<0.22	3.4	<0.20	<0.22	<0.29	<0.23
05/09/00	93.72	<50				<0.13	<0.22	<0.16	<0.20	<0.22	<0.29	<0.23
09/19/01	92.95	<50	NA	NA	NA	<0.13	<0.22	3.6	0.64	<0.22	<0.29	<0.23
10/03/02	92.23	NA	NA	NA	<1.1	<0.13	<0.22	3.0	<0.20	<0.22	<0.29	<0.23
12/19/02	92.85				<0.46	<0.13	<0.22	8.7	<0.20	<0.22	<0.29	<0.23
03/13/03	91.26		NA	NA	<0.50	<0.25	<0.22	10	<0.11	<0.25	<0.19	<0.39
06/13/03	93.47	NA	NA	NA	<0.50	<0.25	<0.22	7.2	1.1	<0.25	<0.19	<0.39

Monitoring Well 7

10/03/02	94.07	NA	NA	NA	70	75	160	<1.6	49	380	110	790
12/19/02	94.07				22	33	18	<6.4	10	77	24	72
03/13/03	93.67		NA	NA	13	64	30	<2.3	11	81	27	78
06/13/03	94.49	NA	NA	NA	4.5	26	13	<0.47	5.1	19	5.2	25

Monitoring Well 8

10/03/02	94.07	NA	NA	NA	<1.1	170	1.7	13	1.2	0.23	<0.29	4.6
12/19/02	94.00	NA			<0.46	150	1.8	<4.6	0.78	<0.22	<0.29	4.1
06/13/03	94.21	NA	NA	NA	<1.0	180	2.9	<2.4	1.0	<0.50	<0.38	8.6

DRO = Diesel Range Organics
MTBE = Methyl-Tert-Butyl Ether

ES = Enforcement Standard (NR 140)
ug/L = micrograms per liter = parts per billion

EDB = 1,2 - Dibromoethane
FB = Field Blank

Date Sampled	GWE, ft	GRO mg/L	1,2-DCA ug/L PAL=0.5 ES=5.0	EDB ug/L PAL=0.005 ES=0.05	Naphtha- lene ug/L PAL=8 ES=40	Benzene ug/L PAL=0.5 ES=5	Ethyl- benzene ug/L PAL=140 ES=700	MTBE ug/L PAL=12 ES=60	Toluene ug/L PAL=200 ES=1000	1,2,4-TMB ug/L PAL=96* ES=480*	1,3,5-TMB ug/L PAL=96* ES=480*	Xylenes ug/L PAL=1000 ES=10,000
-----------------	------------	-------------	--------------------------------------	-------------------------------------	--	------------------------------------	--	---------------------------------	---------------------------------------	---	---	--

1,2-DCA = 1,2-Dichloroethane

PAL = Preventive Action Limit (NR 140)

NA = Not Analyzed

* = 1,2,4-TMB and 1,3,5-TMB combined

GWE = Ground Water Elevation, ft

l:/working/grdcapbpv

TABLE 2
NATURAL ATTENUATION INDICATOR PARAMETERS
INDIANHEAD OIL COMPANY
CUMBERLAND IC EXPRESS

Monitoring Well	Date Sampled	Dissolved Oxygen mg/L	Redox Pot. mv	Nitrate + Nitrite as Nitrogen mg/L	Iron dissolved mg/l	Sulfate dissolved mg/L
1	1/3/2000	2.7		<0.024	2.2	16
1	5/9/2000	4.2	20	<0.024	4.0	27
1	10/3/2002	3.2	30	<0.024	4.7	12
1	12/19/2002	4.1		<0.024	3.7	15
1	3/13/2003	4.6	60	0.031	2.6	13
1	6/13/2003	4.9	75	0.028	3.1	13
2	1/3/2000	0.1		<0.024	12	23
2	5/9/2000		5	0.14	12	<2.0
2	10/3/2002	4.7	20	<0.024	4.6	5.7
2	12/19/2002	5.2		<0.024	9.8	4.7
2	3/13/2003	5.4	35	0.055	9.9	<2.0
2	6/13/2003	5.1	15	0.22	5.9	5.1
3	1/3/2000	0.3		<0.024	11	21
3	5/9/2000	2.6	10	<0.024	13	<2.0
3	10/3/2002	1.7	15	<0.024	9.6	10
3	12/19/2002	1.3		<0.024	13	7.8
3	3/13/2003	1.1	10	0.045	14	2.3
3	6/13/2003	1.7	5	<0.024	6.6	7.4
4	1/3/2000	0.2		<0.024	39	35
4	5/9/2000	3.8	-25	<0.024	39	53
4	10/3/2002	2.0	-55	0.052	45	23
4	12/19/2002	2.6		0.14	44	20
4	3/13/2003	3.7	-5	0.35	62	5.2
4	6/13/2003	3.9	-15	0.056	25	16
5	1/3/2000	8.5		4.4	0.71	8.6
5	5/9/2000	8.5	20	3.8	0.45	15
5	10/3/2002	4.8	15	7.3	<0.042	16
5	12/19/2002	5.7		5.7	<0.042	23
5	3/13/2003	6.1	5	5.4	<0.042	17
5	6/13/2003	7.2	10	5.3	<0.042	25
6	1/3/2000	4.8		<0.024	13	9.1
6	5/9/2000		-25	0.11	13	<2.0
6	10/3/2002	3.8	5	<0.024	15	8.2
6	12/19/2002	3.1		3.6	24	9.0
6	3/13/2003	3.0	0	<0.024	26	2.0
6	6/13/2003	3.1	0	0.027	9.6	8.9
7	10/3/2002	0.9	5	<0.024	5.8	11
7	12/19/2002	0.9		0.028	11	13

Monitoring Well	Date Sampled	Dissolved Oxygen mg/L	Redox Pot. mv	Nitrate + Nitrite as Nitrogen mg/L	Iron dissolved mg/l	Sulfate dissolved mg/L
7	3/13/2003	1.2	-10	0.12	14	8.2
7	6/13/2003	1.6	-10	0.030	13	9.2
8	10/3/2002	2.1	-35	<0.024	5.4	9.0
8	12/19/2002	2.6		<0.024	14	13
8	6/13/2003	0.7	-15	<0.024	4.9	11

NA = Not Analyzed

ug/L = micrograms per liter = parts per billion

mg/L = milligrams per liter = parts per million

mv = millivolts

Redox Pot. = Reduction Oxidation Potential

Cedar Corporation, 1/20/2004

TABLE #1
POST EXCAVATION SOIL SAMPLE ANALYTICAL RESULTS
CUMBERLAND IC EXPRESS
CUMBERLAND, WISCONSIN

Boring Name	Sample Depth	Sample Date	Laboratory ID	FID/PID (IU)	GRO mg/Kg	Results reported in ug/Kg							
						Benzene	E - Benzene	MTBE	Naphthalene	Toluene	1,2,4 TMB	1,3,5 TMB	Xylenes
Wis Adm. Code NR720, Table 1 & 2, Residual Contaminant Levels					100-250	5.5	2,900	NS	NS	1,500	NS	NS	4,100
Wis Adm. Code NR746.06 Table 1, Residual Petroleum Product					NS	8,500	4,600	NS	2,700	38,000	83,000	11,000	42,000
Wis Adm. Code NR746.06 Table 2, Direct Contact					NS	1,100	NS	NS	NS	NS	NS	NS	NS
EX-1	4'	6/24/2003	487468	NA	203	3,520	10,800	<162	<162	1,080	14,900	5,280	44,700
EX-2	4'	6/24/2003	487469	NA	24	728	1,060	<28	110	55	1,880	673	5,410
EX-3	4'	06/24/2003	487470	NA	308	2,130	9,000	<296	3,200	<296	24,900	8,180	48,600
EX-4	4'	06/24/2003	487471	NA	250	1,370	4,990	<150	4,490	1,160	16,200	5,490	27,500
EX-5	4'	06/24/2003	487472	NA	88	3,320	4,250	<159	173	425	5,180	1,860	22,600
EX-6	4'	06/24/2003	487473	NA	<5.4	<27	<27	<27	<27	<27	<27	<27	<38
EX-7	7'	06/24/2003	487474	NA	900	3,860	15,200	<584	7,590	21,000	42,100	15,200	81,800
EX-8	4'	06/25/2003	487431	NA	<5.4	<27	<27	<27	<27	<27	<27	<27	<38
EX-9	4'	06/25/2003	487432	NA	<5.8	<29	<29	<29	<29	<29	<29	<29	<41
EX-10	4'	06/25/2003	487433	NA	<5.5	<28	<28	<28	<28	<28	<28	<28	<39
EX-11	4'	06/25/2003	487434	NA	<7.7	<39	<39	<39	<39	<39	<39	<39	<54
EX-12	4'	06/25/2003	487435	NA	<11	<55	<55	<55	<55	<55	<55	<55	<77
EX-13	4'	06/25/2003	487436	NA	<5.9	<30	<30	<30	<30	<30	<30	<30	<42
EX-14	4'	06/25/2003	487437	NA	<5.2	<26	<26	<26	<26	<26	<26	<26	<37
EX-15	4'	06/25/2003	487438	NA	<5.4	<27	<27	<27	<27	<27	<27	<27	<38
EX-16	6'	06/25/2003	487439	NA	<22	1,730	<110	<110	170	180	1,110	487	4,870
EX-17	4'	06/25/2003	487440	NA	67	80	72	<37	4,170	149	5,220	2,090	7,450
EX-18	4'	06/25/2003	487441	NA	982	<279	2,230	<279	5,580	<279	20,100	13,400	16,700
EX-19	4'	06/25/2003	487442	NA	<5.7	<28	<28	<28	<28	<28	114	81	182

MTBE = Methyl tert butyl ether
 TMB = Trimethylbenzene
 E-Benzene = Ethylbenzene
 1,2-DCA = 1,2 Dichloroethane
 Values in Bold Typeface exceed listed table 1 value.
 ug/Kg= micrograms per kilogram = ppb = parts per billion
 mg/Kg= milligrams per kilogram = ppm = parts per million
 IU = Instrument Units
 NA = Not Analyzed
 NS = No Standard Established

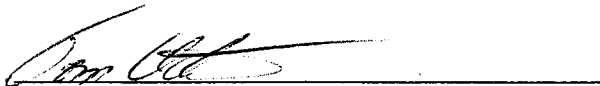
January 19, 2004

Wisconsin Department of Natural Resources
Northern District
107 Sutliff Avenue
Rhineland, WI 54501

Mr. Tom Clements, duly authorized representative of Indianhead Oil Company in accordance with Ch. 292, Wis. Stats. and Ch. NR 726 Wis. Adm. Code, certifies the correct legal description for the property located at 20 and 23 West Freeman Street, Rice Lake, Barron County, Wisconsin is accurately described in the deeds recorded in Volume 629 of Records at Page 484 and Volume 629 of Records at Page 871, as Document Numbers 523792 and 524029, a copy of which is attached as Exhibit 1.

Indianhead Oil Company

By:

A handwritten signature in dark ink, appearing to read "Tom Clements", is written over a horizontal line.

Tom Clements

TABLE 6
GROUND WATER MONITORING - GROUNDWATER ELEVATION
INDIANHEAD OIL COMPANY
CUMBERLAND IC EXPRESS

Monitoring Well	Date Sampled	Groundwater Elevation
-----------------	--------------	-----------------------

1	1/3/2000	93.44
1	5/9/2000	93.82
1	9/19/2001	94.08
1	10/3/2002	94.09
1	12/19/2002	94.19
1	3/13/2003	93.65
1	6/13/2003	94.46

2	1/3/2000	93.37
2	5/9/2000	93.80
2	9/19/2001	94.13
2	10/3/2002	94.14
2	12/19/2002	94.23
2	3/13/2003	93.72
2	6/13/2003	94.59

3	1/3/2000	93.24
3	5/9/2000	93.87
3	9/19/2001	93.84
3	10/3/2002	94.19
3	12/19/2002	94.16
3	3/13/2003	93.59
3	6/13/2003	94.59

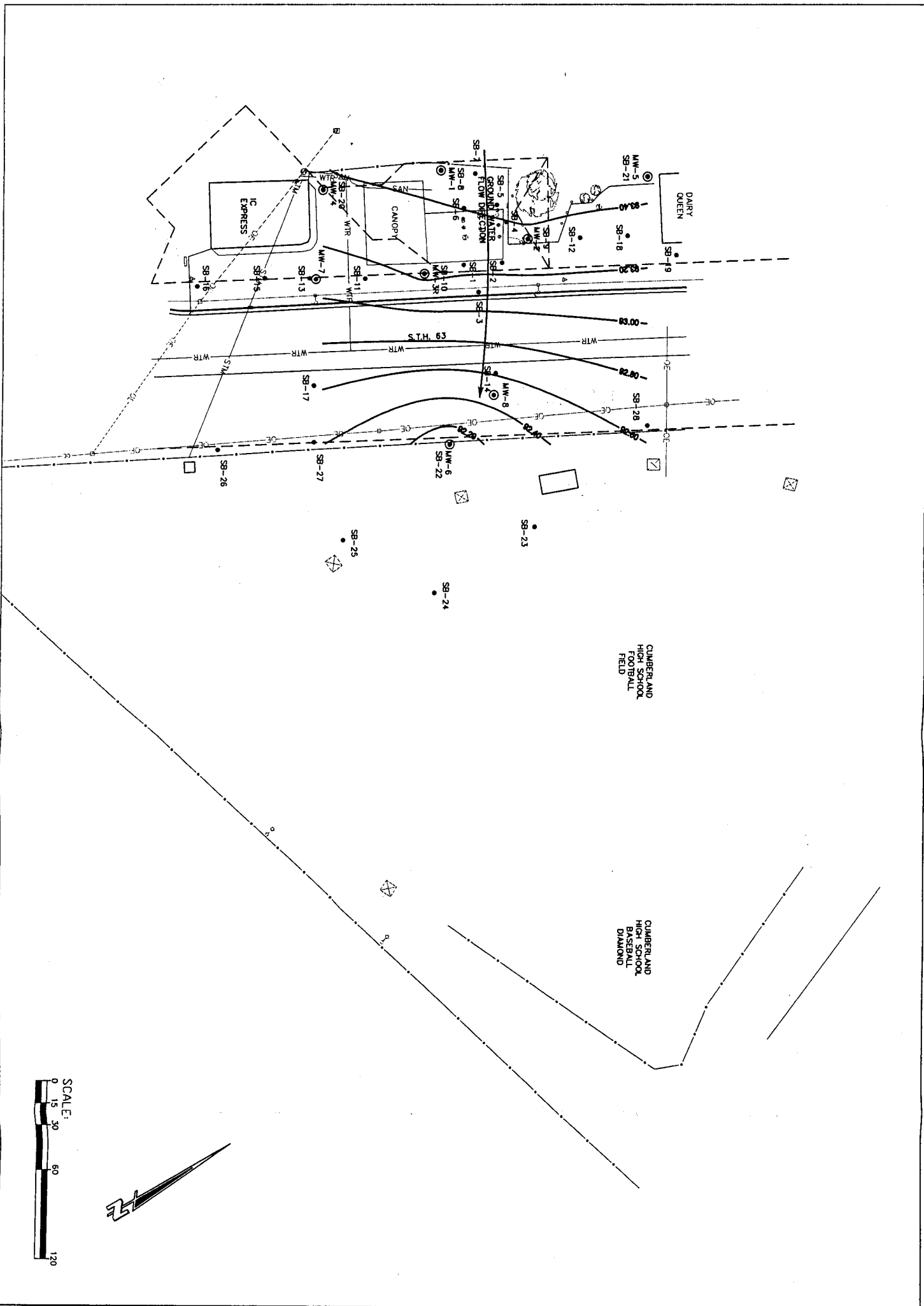
4	1/3/2000	93.37
4	5/9/2000	94.27
4	9/19/2001	94.38
4	10/3/2002	94.24
4	12/19/2002	94.20
4	3/13/2003	93.45
4	6/13/2003	94.49

5	1/3/2000	93.47
5	5/9/2000	93.92
5	9/19/2001	94.21
5	10/3/2002	94.24
5	12/19/2002	94.32
5	3/13/2003	93.81
5	6/13/2003	94.68

6	1/3/2000	92.07
6	5/9/2000	93.72
6	9/19/2001	92.95
6	10/3/2002	92.23
6	12/19/2002	92.85

TABLE 6
GROUND WATER MONITORING - GROUNDWATER ELEVATION
INDIANHEAD OIL COMPANY
CUMBERLAND IC EXPRESS

Monitoring Well	Date Sampled	Groundwater Elevation
6	3/13/2003	91.26
6	6/13/2003	93.47
7	10/3/2002	94.07
7	12/19/2002	94.07
7	3/13/2003	93.67
7	6/13/2003	94.49
8	10/3/2002	94.07
8	12/19/2002	94.00
8	6/13/2003	94.21



SCALE:
0 15 30 60 120

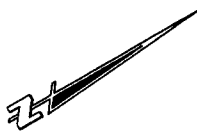


FIGURE
3

INDIANHEAD OIL COMPANY
GROUNDWATER FLOW MAP
CUMBERLAND, WI

Cedar
corporation

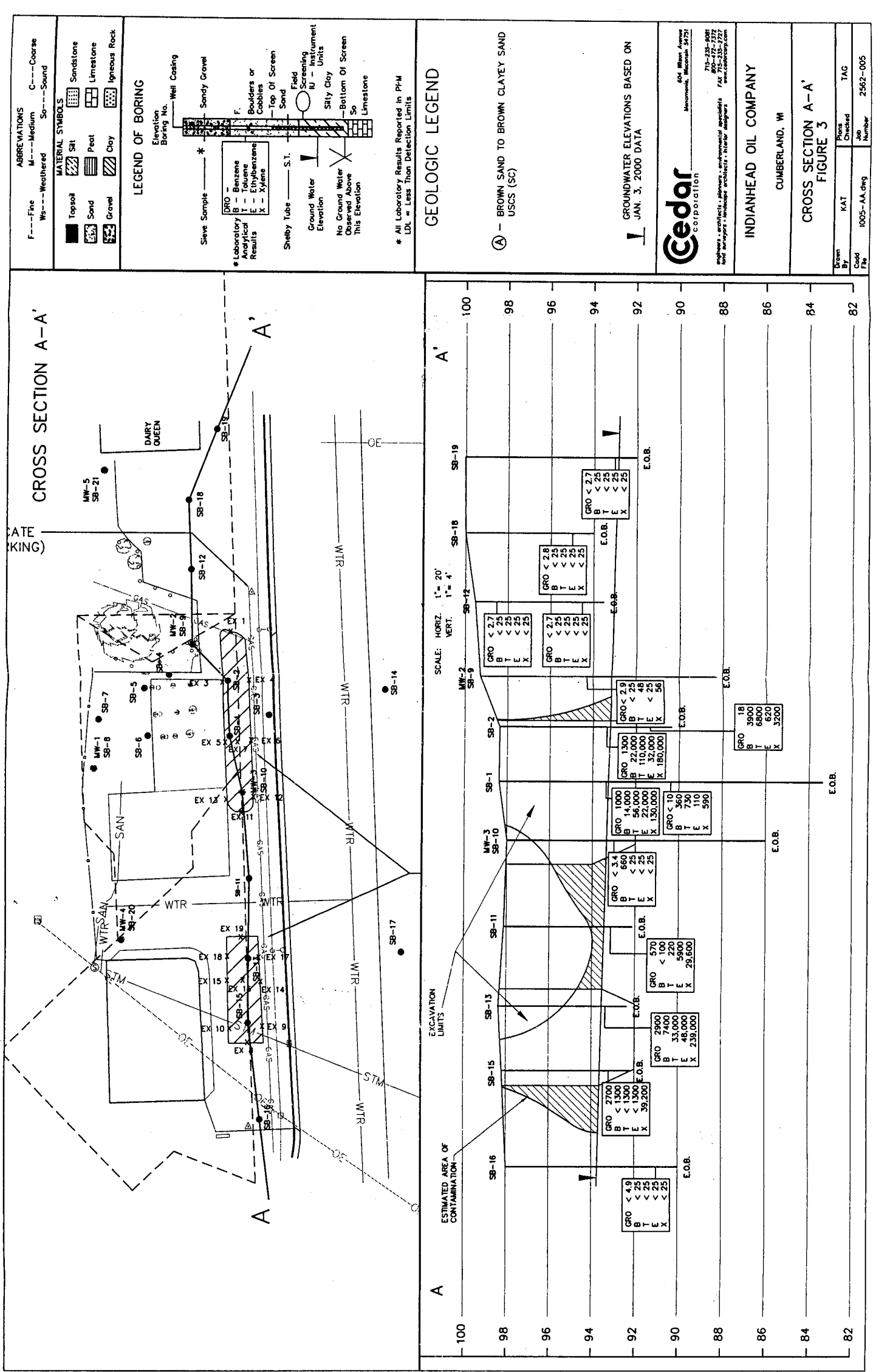
804 Wilson Avenue
Menomonie, Wisconsin 54751

715-235-9081
800-472-7372
FAX 715-235-7727
www.cedarcorp.com

engineers • architects • planners • environmental specialists
land surveyors • landscape architects • interior designers

DATE	12/26/03
BOOK NO.	
DRAWN BY	KAT
CHECKED BY	TAC
DATE	JUNE 2000
REVISIONS	
INTERIOR PLOT	10050808.dwg
DATE PLOTTED	12/26/03
FIGURE	3.dwg

496



ABBREVIATIONS
F---Fine
M---Medium
W---Weathered
S---Sound

MATERIAL SYMBOLS
Topsoil
Sand
Gravel
Silt
Peat
Clay
Sandstone
Limestone
Igneous Rock

LEGEND OF BORING
Elevation
Boring No. Well Casing
Sieve Sample
Laboratory Analytical Results
Shelby Tube
Ground Water Elevation
No Ground Water Observed Above This Elevation
Field Screening
Silty Clay
Bottom Of Screen
Limestone

* All Laboratory Results Reported in PPM
LDL = Less Than Detection Limits

GEOLGIC LEGEND

① - BROWN SAND TO BROWN CLAYEY SAND
USCS (SC)

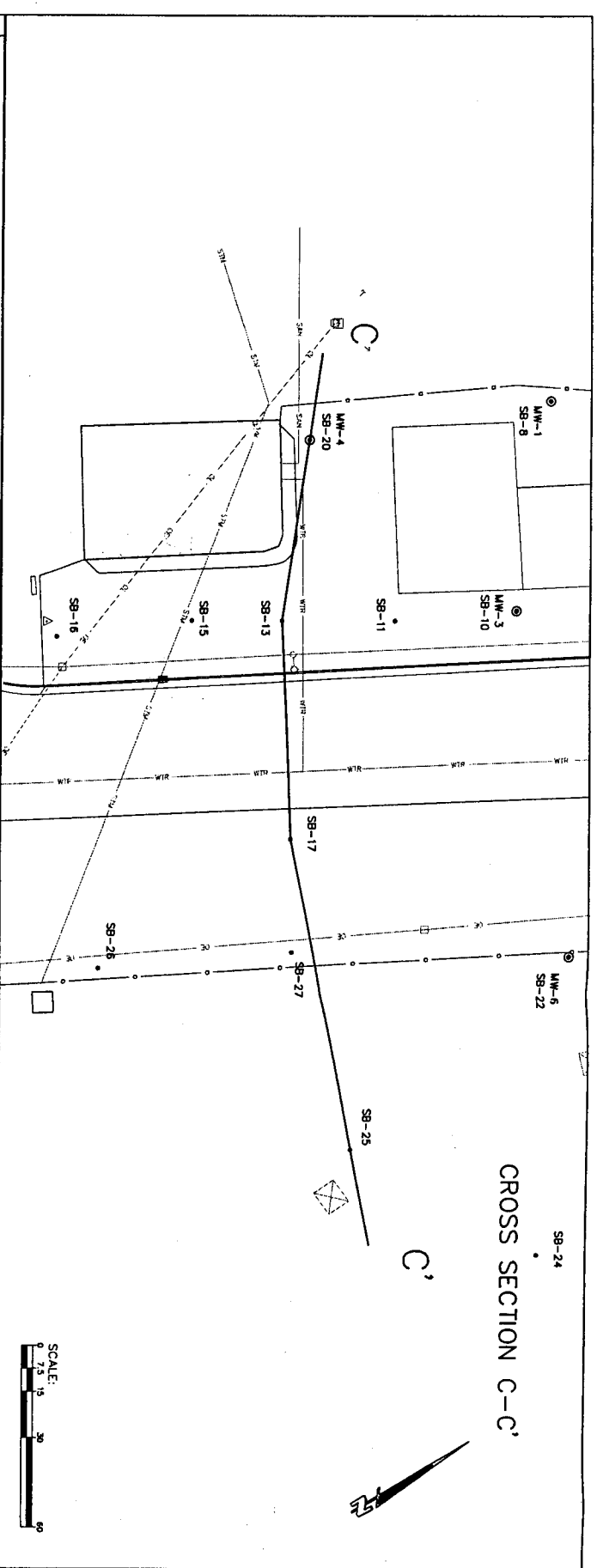
GROUNDWATER ELEVATIONS BASED ON
JAN. 3, 2000 DATA

Cedar Corporation
604 Wilson Avenue
Menomonee, Wisconsin 54751
715-235-9081
800-472-7372
Fax 715-235-9082
www.cedarcorp.com

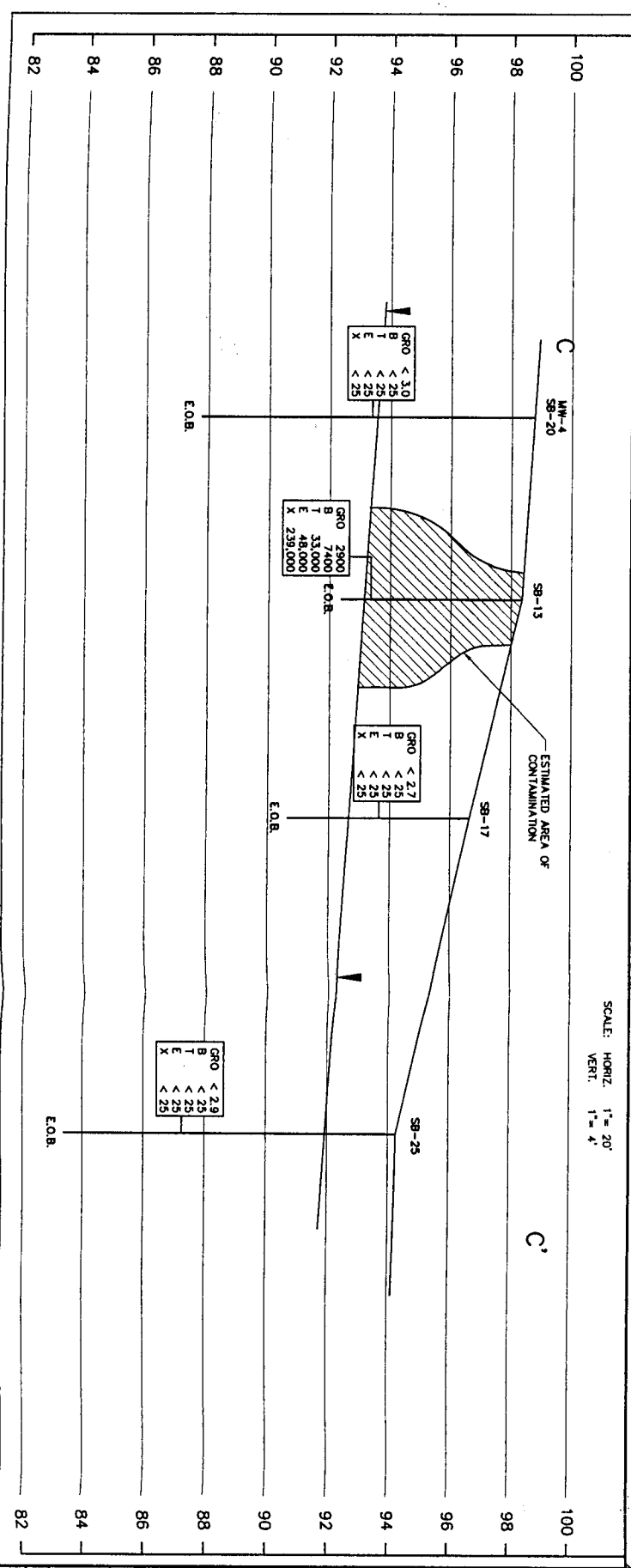
INDIANHEAD OIL COMPANY
CUMBERLAND, WI

CROSS SECTION A-A'
FIGURE 3

Drawn By KAT
Checked
Cadd No 1005-AA.dwg
Job Number 2562-005
TAG



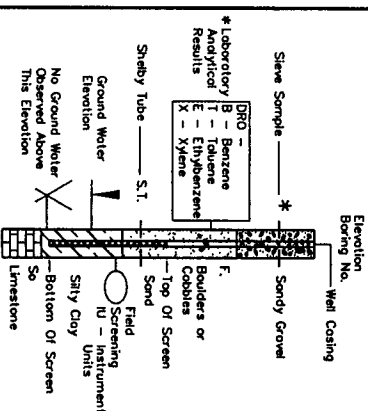
SCALE: HORIZ. 1" = 20'
VERT. 1" = 4'



ABBREVIATIONS
F---Fine M---Medium C---Coarse
W---Weathered S---Sound

MATERIAL SYMBOLS
Topsoil Silt Sandstone
Sand Peat Limestone
Gravel Clay Ligneous Rock

LEGEND OF BORING



GEOLOGIC LEGEND

Ⓐ - BROWN SAND TO BROWN CLAYEY SAND
USCS (SC)

GROUNDWATER ELEVATIONS BASED ON
JAN. 3, 2000 DATA

Cedar
corporation

engineers • architects • planners • environmental specialists
land surveys • landscape architects • interior designers
www.cedarcorp.com

INDIANHEAD OIL COMPANY

CUMBERLAND, WI

CROSS SECTION C-C'
FIGURE 8

Drawn By	KAT	Project Checked	TAG
Code	1005-CC.dwg	Job Number	2562-005

OCT. 13. 2004 9:26AM

CEDAR CORPORATION

NO. 6155 P. 2

October 13, 2004

Wisconsin Department of Natural Resources
Northern District
107 Sutliff Avenue
Rhinelander, WI 54501

Mr. Tom Clements, duly authorized representative of Indianhead Oil Company in accordance with Ch. 292, Wis. Stats. and Ch. NR 726 Wis. Adm. Code, certifies the correct legal description for the property at 1637 Superior Street, Cumberland, Barron County, Wisconsin, is accurately described in the deeds recorded in Volume 1010 of Records at Page 725.

Indianhead Oil Company

By:



Tom Clements



604 Wilson Avenue • Menomonie, Wisconsin 54751

715-235-9081
800-472-7372
Fax • 715-235-2727
www.cedarcorp.com

January 22, 2004

Mr. Bob Michels
Michels & Jerlow Investments, LLP
1501 9th Street
Menomonie, WI 54751

RE: Notification of Existing Contamination Beneath 1637 Superior Avenue
City of Cumberland, Wisconsin, Barron County

Dear Mr. Michels:

Cedar Corporation, on behalf of Mr. Tom Clements of Indianhead Oil Company, has completed an environmental investigation at the Indianhead Oil Cumberland IC Express site located at 1637 Superior Avenue, Cumberland, Wisconsin. In accordance with the conditions for closure, Wis. Admin. Code NR726, Mr. Clements is required to notify the Property owner that soil and ground water contamination exists beneath this property, formerly known as the Cumberland IC Express site (Figure 1).

Soil and ground water contamination originates on the property located at 1637 Superior Avenue, Cumberland, WI. The levels of benzene, ethylbenzene, naphthalene, toluene, trimethylbenzene, and xylene contamination in the soil and ground water on your property are above the State soil Residual Contaminant Levels found in NR 720 and ground water enforcement standards found in Chapter NR140, Wisconsin Administrative Code. The results from the site investigation and remediation at the site indicate that the contamination does not pose a significant threat to the environment and human health at this time. The Department of Natural Resources will be reviewing remediation by natural attenuation as a viable option for the remaining contamination for meeting requirements for case closure that are found in Chapter NR726 and Chapter NR746, Wisconsin Administrative Code. Closure means that the Department will not be requiring any further investigation or clean-up to be taken at this time.

The Department of Natural Resources will not review this final closure request for at least 30 days after the date of this letter. As an affected property owner, you have the right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted at this site. If you would like to submit any information to the Department of Natural Resources that is relative to the closure request, you should mail that information to: Mr. Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

If this case is closed, the site will be listed on the GIS Registry. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where soil and ground water contamination above state standards was found at the time that the case was closed. This GIS is available to the general public on the Department of Natural Resources Internet Web site.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual ground water contamination. Any well driller who proposes to construct the well on your property in the future will first need to call the Digger's Hotline (800-242-8511) if your property is located outside the service in the municipally owned water system, or contact the drinking water program with the Department of Natural Resources if your property is located within the designated service area of the municipality owned water system to determine if there is a need for special waste construction standards.

Once the Department makes a decision on the closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from Mr. Clements by writing, by writing to the agency at the address given above, or by accessing the DNR GIS Registry of Closure Remediation Sites on the internet at:

www.dnr.state.wi.us/org/at/et/geo/gwur. Copy of the closure letter is included as part of the site file and the GIS Registry of Closure Remediation Sites. If you need more information, you may contact me at Cedar Corporation, 604 Wilson Avenue, Menomonie, WI 54751, 715-235-9081, or you may contact Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

Sincerely,

CEDAR CORPORATION



Troy A. Gawronski
Hydrogeologist

TAG/br
Enclosure



604 Wilson Avenue • Menomonie, Wisconsin 54751

715-235-9081

800-472-7372

Fax • 715-235-2727

www.cedarcorp.com

January 22, 2004

Mr. & Mrs. David Wineinger
1151 Buck Street
Cumberland, WI 54829

RE: Notification of Existing Contamination Beneath 1655 Superior Avenue
City of Cumberland, Wisconsin, Barron County

Dear Mr. Wineinger:

Cedar Corporation, on behalf of Mr. Tom Clements of Indianhead Oil Company, has completed an environmental investigation at the Indianhead Oil Cumberland IC Express site located at 1637 Superior Avenue, Cumberland, Wisconsin. In accordance with the conditions for closure, Wis. Admin. Code NR726, Mr. Clements is required to notify the Property owner that soil and ground water contamination exists beneath 1655 Superior Avenue, bordering the north side of the IC Express site (Figure 1).

Soil and ground water contamination that originates on the property located at 1637 Superior Avenue, Cumberland, WI, has migrated onto your adjacent property. The levels of benzene, ethylbenzene, trimethylbenzene, and xylene contamination in the soil and ground water on your property are above the State soil Residual Contaminant Levels found in NR 720 and ground water enforcement standards found in Chapter NR140, Wisconsin Administrative Code. The results from the site investigation and remediation at the site indicate that the contamination does not pose a significant threat to the environment and human health at this time. The Department of Natural Resources will be reviewing remediation by natural attenuation as a viable option for the remaining contamination for meeting requirements for case closure that are found in Chapter NR726 and Chapter NR746, Wisconsin Administrative Code. Closure means that the Department will not be requiring any further investigation or clean-up to be taken at this time.

The Department of Natural Resources will not review this final closure request for at least 30 days after the date of this letter. As an affected property owner, you have the right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted at this site. If you would like to submit any information to the Department of Natural Resources that is relative to the closure request, you should mail that information to: Mr. Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

If this case is closed, the site will be listed on the GIS Registry. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where soil and ground water contamination above state standards was found at the time that the case was closed. This GIS is available to the general public on the Department of Natural Resources Internet Web site.

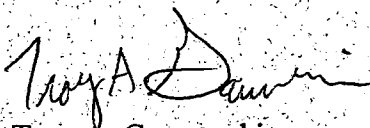
Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual ground water contamination. Any well driller who proposes to construct the well on your property in the future will first need to call the Digger's Hotline (800-242-8511) if your property is located outside the service in the municipally owned water system, or contact the drinking water program with the Department of Natural Resources if your property is located within the designated service area of the municipality owned water system to determine if there is a need for special waste construction standards.

Once the Department makes a decision on the closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from Mr. Clements by writing, by writing to the agency at the address given above, or by accessing the DNR GIS Registry of Closure Remediation Sites on the internet at:

www.dnr.state.wi.us/org/at/et/geo/gwur. Copy of the closure letter is included as part of the site file and the GIS Registry of Closure Remediation Sites. If you need more information, you may contact me at Cedar Corporation, 604 Wilson Avenue, Menomonie, WI 54751, 715-235-9081, or you may contact Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

Sincerely,

CEDAR CORPORATION



Troy A. Gawronski
Hydrogeologist

TAG/br
Enclosure

January 22, 2004

Ms. Sharlene Tebeest
Wisconsin Department of Transportation
4802 Sheboygan Avenue
Madison, WI 53702

RE: Notification of Existing Contamination Beneath US Hwy 63 Right-of-Way
City of Cumberland, Wisconsin, Barron County

Dear Ms. Tebeest:

Cedar Corporation, on behalf of Mr. Tom Clements of Indianhead Oil Company, has completed an environmental investigation at the Indianhead Oil Cumberland IC Express site located at 1637 Superior Avenue, Cumberland, Wisconsin. In accordance with the conditions for closure, Wis. Admin. Code NR726, Mr. Clements is required to notify the Property owner that soil and ground water contamination exists beneath US Hwy 63 road right-of-way(Figure 1).

Soil and ground water contamination originates on the property located at 1637 Superior Avenue, Cumberland, WI. The levels of benzene, ethylbenzene, naphthalene, toluene, trimethylbenzene, and xylene contamination in the soil and ground water which have migrated beneath US Hwy 63 are above the State soil Residual Contaminant Levels found in NR 720 and ground water enforcement standards found in Chapter NR140, Wisconsin Administrative Code. The results from the site investigation and remediation at the site indicate that the contamination does not pose a significant threat to the environment and human health at this time. The Department of Natural Resources will be reviewing remediation by natural attenuation as a viable option for the remaining contamination for meeting requirements for case closure that are found in Chapter NR726 and Chapter NR746, Wisconsin Administrative Code. Closure means that the Department will not be requiring any further investigation or clean-up to be taken at this time.

The Department of Natural Resources will not review this final closure request for at least 30 days after the date of this letter. As an affected property owner, you have the right to contact the Department to provide any technical information that you may have that indicates that closure should not be granted at this site. If you would like to submit any information to the Department of Natural Resources that is relative to the closure request, you should mail that information to: Mr. Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

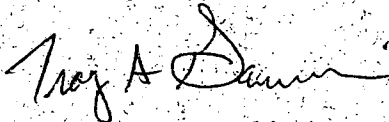
If this case is closed, the site will be listed on the GIS Registry. The information on the GIS Registry includes maps showing the location of properties in Wisconsin where soil and ground water contamination above state standards was found at the time that the case was closed. This GIS is available to the general public on the Department of Natural Resources Internet Web site.

Should you or any subsequent property owner wish to construct or reconstruct a well on your property, special well construction standards may be necessary to protect the well from the residual ground water contamination. Any well driller who proposes to construct the well on your property in the future will first need to call the Digger's Hotline (800-242-8511) if your property is located outside the service in the municipally owned water system, or contact the drinking water program with the Department of Natural Resources if your property is located within the designated service area of the municipality owned water system to determine if there is a need for special waste construction standards.

Once the Department makes a decision on the closure request, it will be documented in a letter. If the Department grants closure, you may obtain a copy of this letter by requesting a copy from Mr. Clements by writing, by writing to the agency at the address given above, or by accessing the DNR GIS Registry of Closure Remediation Sites on the internet at: www.dnr.state.wi.us/org/at/et/geo/gwur. Copy of the closure letter is included as part of the site file and the GIS Registry of Closure Remediation Sites. If you need more information, you may contact me at Cedar Corporation, 604 Wilson Avenue, Menomonie, WI 54751, 715-235-9081, or you may contact Bill Schultz, Wisconsin Department of Natural Resources, 107 Sutliff Avenue, Rhinelander, WI 54501.

Sincerely,

CEDAR CORPORATION



Troy A. Gawronski
Hydrogeologist

TAG/br
Enclosure

BARRON COUNTY, WI
REGISTER OF DEEDS
SHAWN M. HANSON

699563

09/27/2004 01:20PM

RECORDING FEE: 19.00
TRANSFER FEE:
FEE EXEMPT #:
PAGES: 5

RESTRICTION

Document Number

DEED RESTRICTION

Declaration of Restrictions

In Re: That part of Lot 5, Block 1, of Mansfield and Lang's Addition to North Cumberland and of Government Lot 3 of Section 6, Township 35 North, Range 13 West (in the City of Cumberland) shown as "Cities Service Oil, Co. – 132-59" on CSM 2-126 and more particularly described as:

Commencing at the northwest corner of said Lot 5; thence south, along the east right-of-way line of Second Street, 50 feet; thence east, parallel with the north line of said Lot 5, 70 feet to the point of beginning; thence continuing east, parallel with the north line of said Lot 5 and said line extended, 124 feet; thence N 41°13' E. 17 feet; thence N 80°59' E. 37.1 feet to the westerly right-of-way line of USH 63; thence S 41°13' W, along said right-of-way line, 193.1 feet; thence N 24°54.5' W. 40.6 feet to a line parallel with and 22 feet south of the extended south line of said Lot 5; thence west, along said extended south line, 26.6 feet; thence north, parallel with and 70 feet distant from the east line of said Second Street, 88 feet to the point of beginning.

The following parts of Government Lot 3 of Section 6, Township 35 North, Range 13 West (in the City of Cumberland) described as:

- a) Parcels B and C of CSM 2-126;
b) That part lying within the parcel shown as "Karlen - 133-376" on CSM 2-126 and more particularly described as:

* #173

Beginning at the southeast corner of said Deed 133-276, which point is the same as the southwest corner of Parcel C of CSM*2-126; thence north, along the east line of said Deeds 133-376, 30 feet; thence southwesterly to a point on the south line of said Deeds 133-376 which is 25 feet west of the southeast corner thereof; thence east along the south line of said Deeds 133-376, 25 feet to the point of beginning.

This is not homestead property.

STATE OF WISCONSIN)
) SS
COUNTY OF BARRON)

WHEREAS, Michels and Jerlow Investments, LLP, is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property, and as of June 24, 2002 when soil samples were collected on this property, gasoline contaminated soil remained on this property at the following location: adjacent to the UST bed, southeast corner of the canopy, and east of the northeast corner of the store.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Recording Area

Name and Return Address
Cedar Corporation
604 Wilson Avenue
Menomonie, WI 54751

212-8002-48-000 and 212-8002-50-000

Parcel Identification Number (PIN)

Structural impediments existing at the time of clean-up (Underground Storage Tanks) made complete remediation of the soil contamination on this property impracticable. If the structural impediments on this property that are described above are removed, the property owner shall conduct an investigation of the degree and extent of petroleum contamination. To the extent that contamination is found at that time, the Wisconsin Department of Natural Resources or other agency with administrative authority for the site shall be immediately notified and the contamination shall be properly remediated in accordance with applicable statutes and rules. If currently inaccessible soil near or beneath the structural impediments on the property is excavated in the future, the soil must be sampled and analyzed, may be considered solid or hazardous waste if residual contamination remains, and must be stored, treated, and disposed in compliance with applicable statutes and rules.

The paved surfaces that existed on the above-described property on the date that this restriction was signed form a barrier that must be maintained in order to prevent direct contact with residual soil contamination that might otherwise pose a threat to human health. These structures are also required in order to minimize the infiltration of water and prevent additional ground water contamination that would violate the ground water quality standards in ch. NR140, Wis. Adm. Code. The paved surfaces shall be maintained on the above-described property in the locations shown on the attached map, labeled Figure 1 unless another barrier, with an infiltration rate of 10^{-7} cm/sec or less, is installed and maintained in their place. The existing structures, and any replacement barrier with an infiltration rate of 10^{-7} cm/sec or less, shall be maintained on the above-described property in compliance with the Impervious Cap Maintenance Plan for 1632 Superior Street, Cumberland, Wisconsin, dated July 28, 2004, that was submitted to the Wisconsin Department of Natural Resources by Indianhead Oil Company, as required by Section NR 724.13(2), Wis. Adm. Code (1999).

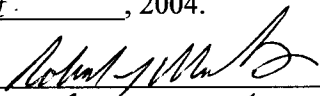
In addition, the following activities are prohibited on any portion of the above-described property where an impervious cap has been placed or where impervious surfaces exist (Figure 1), unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on capped areas and areas with impervious surfaces; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or impervious surface.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Bob Michels asserts that he is duly authorized to sign this document on behalf of Michels and Jerlow Investments, LLP.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 22nd day of Sept., 2004.

Signature: 

Printed Name: ROBERT J. MICHELS

Subscribed and sworn to before me
this 22nd day of Sept., 2004.

Donna M. Pickering

Notary Public, State of WI

My commission expires Donna M. Pickering

~~Notary Public~~ State of Wisconsin

This document was drafted by Cedar Corporation with assistance from the Wisconsin Department of Natural Resources.